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## Counsel for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

# USA COMMERCIAL MORTGAGE COMPANY.

## USA CAPITAL REALTY ADVISORS, LLC.

**USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC**

**USA CAPITAL FIRST TRUST DEED  
FUND, LLC.**

USA SECURITIES, LLC

## Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

## **NOTICE OF WITHDRAWAL OF SUBPOENAS ISSUED TO BRETT SEABERT AND KREG ROWE**

[No hearing required]

### Affects:

- All Debtors
  - USA Commercial Mortgage Company
  - USA Capital Realty Advisors, LLC
  - USA Capital Diversified Trust Deed Fund, LLC
  - USA Capital First Trust Deed Fund, LLC
  - USA Securities, LLC

On May 4, 2007, the USACM Liquidating Trust (the “Trust”) issued Subpoenas for Rule 2004 Examinations to Brett Seabert and Kreg Rowe (the “Subpoenas”). Kaaran Thomas, counsel for Mr. Seabert and Mr. Rowe accepted service of the Subpoenas.

The Trust hereby withdraws the Subpoenas.

1           In withdrawing these Subpoenas, the Trust does not waive the right to file a later  
2 Motion for 2004 Examination seeking information from Mr. Seabert and/or Mr. Rowe if it  
3 should become necessary.  
4

5           Dated: May 29, 2007.

6 **DIAMOND MCCARTHY LLP**

7 By: /s/ Eric D. Madden  
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